

REMARKS

Claims 1-38, with claims 1, 20 and 24 having been amended, are being represented for examination herewith.

Of these claims, claim 24 has been amended to correct a spelling error.

Claim 1 has been rejected by the Examiner under 35 USC §102(b) as being anticipated by Bard (USP 6,717,681).

Claim 1 has been amended to call for in part:

“using an optical probe beam with a substantially uniform wavefront to **illuminate at least the back surface** to produce a reflected probe beam with a reflected wavefront that carries distortions caused by an illuminated area on **at least the back surface;**” (emphasis added)

and

“processing the interference patterns to obtain information on surface slopes of **at least one portion of the front surface**, the **at least one portion of the front surface corresponding to the illuminated area of at least the back surface.**” (emphasis added)

Thus it can be seen that as claim 1 has been amended **the back surface MUST be illuminated at all times** (“at least the back surface”) however both the back and front surfaces can be illuminated.

Additionally, as claim 1 has been amended, the information on surfaces slopes **MUST be for at least one portion of THE FRONT SURFACE and the at least one portion of the front surface MUST, at a minimum, correspond to the illuminated area of the back surface.**

Thus, as claim 1 has been amended, the illuminated back surface is ALWAYS involved in the determination of the information on surface slopes on a portion of the front surface that corresponds to the illuminated area of the back surface.

Bard, as pointed out by the Examiner, states:

"...to illuminate at least one surface selected from the front and back surfaces..." (emphasis added)

and

"...to obtain information on surface slopes of at least one portion of the front surface, the at least one portion being or corresponding to the illuminate area." (emphasis added)

It can thus be seen that **Bard discloses that use of the solely illuminated the front surface or the solely illuminated front surface can be used to determine the surface slopes of the front surface.**

From a reading of Bard no mention or suggestion was found that THE BACK SURFACE MUST ALWAYS be illuminated, and that THE ILLUMINATED BACK SURFACE MUST ALWAYS BE USED in the determine surface slopes on the front surface.

Thus claim 1 as amended is now distinguishable from Bard.

Claim 20 has been rejected by the Examiner under 35 USC §102(b) as being anticipated by Pouet (USP 5,481,356).

Claim 20 has been amended to call for in part:

"...a collimated radiation source to produce a collimated probe beam onto an area of at least the back surface to illuminate the area of at least the back surface;..." (emphasis added)

in addition

"...an optical shearing interferometer device positioned to receive the optical probe beam reflected **from the at least back surface...**"
(emphasis added)

and

"a processing device to process the interference patterns captured by the imaging device to extract information on surface slopes of at least one portion of the front surface, the at least one portion being or corresponding to the illuminated area **of the at least back surface.**"
(emphasis added)

Thus it can be seen that as claim 20 has been amended **the back surface MUST be illuminated at all times** ("at least the back surface") however both the back and front surfaces can be illuminated.

Additionally, as claim 20 has been amended, the reflected beam **MUST be reflected from the back surface at all times** (from the at least back surface) however the reflection can be from both back and front surfaces.

And claim 20 has been amended, the information on surfaces slopes **MUST be for at least one portion of THE FRONT SURFACE and the at least one portion of the front surface MUST, at a minimum, correspond to the illuminated area of the back surface.**

Thus, as claim 20 has been amended, the illuminated back surface is ALWAYS involved in the determination of the information on surface slopes on a portion of the front surface that corresponds to the illuminated area of the back surface.

Pouet, as pointed out by the Examiner, states:

“...to produce a collimated probe beam onto a **surface under measurement...**” (emphasis added)

further

“an optical shearing interferometer...positioned to receive the optical probe beam reflected from **the surface...**” (emphasis added)

and

“...to process interference patterns captured ... to extract information on surface slopes **across the illuminated area in the surface under measurement.**” (emphasis added)

It can thus be seen that **Pouet discloses that the illuminated surface is used to determine the surface slopes of the illuminated surface.**

From a reading of Pouet no mention or suggestion that one can illuminate a different surface from the surface where the measurement of the surface slopes is desired was found.

Thus claim 20 as amended is now distinguishable from Pouet as claim 20 as amended includes the determination of surface slopes of a surface on the opposite side of the device from the side that has been illuminated.

Claims 1-38 have been rejected by the Examiner under 35 USC §103(a) as being obvious from Rosakis (USP 6,031,611) in view of Bard ('681).

Rosakis ('611) in view of claims 1 and 20 as amended, has the same short coming discussed above for each of Bard and Pouet. That is that claims 1 and 20 require that the back surface **MUST** always be illuminated, whether or not the front surface is illuminated. Thus Rosakis falls short of teaching or suggesting what is claimed in amended claims 1 and 20.

The addition of Bard to Rosakis does not overcome the difference between Rosakis and amended claims 1 and 20, as Bard has the same shortcoming.

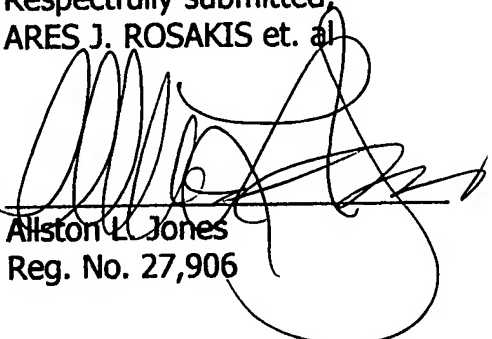
Thus, independent claims 1 and 20 are distinguishable and non-obvious from the combination of Rosakis and Bard. Given that each of claims 2-19 and 21-38 are dependent from one of claims 1 and 20, claims 2-19 and 21-38, by virtue of that dependance, are also distinguishable from the combination of Rosakis and Bard.

Thus it is respectfully submitted that all of claims 1-38 are now in condition for allowance.

Favorable action is respectfully requested.

Respectfully submitted,
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by


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